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UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

In re : Chapter 11

DELPHI CORPORATION, et al., : Case No. 05-44481 (RDD)

Debtors. : (Jointly Administered)

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JOINDER TO THE RELIEF SOUGHT IN THE OBJECTIONS OF THE DEBTORS AND THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS TO THE REQUEST OF CR INTRINSIC INVESTORS, LLC AND HIGHLAND CAPITAL MANAGEMENT, L.P. FOR THE APPOINTMENT OF AN EXAMINER

The Committee of Delphi Trade Claim Holders (the "Delphi Trade Committee"), by and through its undersigned counsel, hereby files this joinder to the relief sought in the objections of the above captioned debtors and debtors-in-possession (the "Debtors") and the Official Committee of Unsecured Creditors of the Debtors (the "Creditors Committee") to the Request of CR Intrinsic Investors, LLC and Highland Capital Management, L.P. (collectively, the "Requestors") for the Appointment of an Examiner (the "Request"), and respectfully represents as follows:

## BACKGROUND

1. On October 8 and 14, 2005 (as applicable, the "Petition Date"), the Debtors each filed a voluntary petition for relief under Chapter 11 of Title 11 of the United States Code, 11 U.S.C. §§ 101 et seq. (the "Bankruptcy Code").

- 2. The members of the Delphi Trade Committee hold trade claims against Delphi Automotive Systems LLC and its domestic operating subsidiaries.
- 3. On or about August 6, 2008, the Debtors filed their Motion for Order Authorizing Amendment to Arrangement with General Motors Corporation Approved Pursuant to Second DIP Extension Order (Docket No. 13489) (the "GM Motion").
- 4. On or about August 20, 2008, the Requestors filed an objection to the GM Motion, which also contained the Request.
- 5. On or about September 16, 2008, the Debtors filed their Objection to Motion of CR Intrinsic Investors, LLC and Highland Capital Management, L.P. for Appointment of Examiner (the "Debtors' Objection") and the Creditors Committee filed their Objection to the Request by CR Intrinsic Investors, LLC and Highland Capital Management, L.P. for the Appointment of an Examiner (the "Creditors Committee's Objection," and, together with the Debtors' Objection, the "Objections").

## **JOINDER**

6. The Delphi Trade Committee joins in the relief sought in the Objections.

## CONCLUSION

For the foregoing reasons, the Delphi Trade Committee joins in the relief sought in the Objections and requests that the Court deny approval of the Request and grant the Delphi Trade Committee such other and further relief as is just and proper.

Dated: New York, New York September 17, 2008

> KASOWITZ, BENSON, TORRES & FRIEDMAN LLP

<u>/s/ David S. Rosn</u>er

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